

25017. Adulteration of butter. U. S. v. 15 Tubs, et al., of Butter. Default decrees of condemnation and destruction. (F. & D. nos. 35715, 35717, 35718, 35719. Sample nos. 22598-B, 36866-B to 36869-B, incl., 36873-B, 36874-B.)

These cases involved various shipments of butter samples of which were found to contain mold and other extraneous matter.

On June 4, 1935, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 15 tubs and 93 cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce between the dates of May 13, 1935, and May 29, 1935, by the Kosciusko Creamery, from Kosciusko, Miss., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Wrapper) "Cresta Creamery Butter * * * Distributed by Swift & Co. * * * Chicago." The remainder was labeled in part: (Tag) "From Kosciusko Creamery, Kosciusko, Miss."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed animal substance.

On August 15, 1935, no claimant having appeared, judgments of condemnation were entered, and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25018. Adulteration of tomato catsup. U. S. v. 996½ Cases of Tomato Catsup. Decree of condemnation and destruction. (F. & D. no. 35036. Sample no. 11531-B.)

This case involved a shipment of tomato catsup that contained excessive mold.

On February 7, 1935, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 996½ cases of tomato catsup at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about October 20, 1934, by the Naas Corporation of Indiana, from Sunman, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sun Red Brand High Quality Tomato Catsup * * * The Naas Corporation of Indiana Sunman, Ind."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On March 19, 1935, judgment of condemnation was entered and the court ordered the product destroyed. Stay of execution was granted on motion of the claimant. On December 7, 1935, the judgment of March 19, 1935 was made final.

W. R. GREGG, *Acting Secretary of Agriculture.*

25019. Adulteration of canned sardines. U. S. v. 49 Cases and 42 Cases of Canned Sardines. Judgment of condemnation and destruction. (F. & D. no. 32668. Sample nos. 33356-A, 33357-A, 66804-A, 66805-A.)

This case involved two lots of canned sardines which were in part decomposed.

On May 3, 1934, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 91 cases of canned sardines at Lewistown, Mont., alleging that the article had been shipped in interstate commerce on or about October 3, 1933, by the California Packing Corporation, from Alameda, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Del Monte Brand California Sardines Mustard [or "Tomato"] Sauce * * * California Packing Corp. * * * San Francisco, Calif."

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On July 29, 1935, the California Packing Co. having appeared as claimant and the case having come on for hearing before the court, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*